

HQ AETC News Clips Randolph AFB TX



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The Denver Post

betrayal in the ranks

Rape cases rise at Texas air base

Group: Victims' fear hurts effort

Wednesday, February 11, 2004 -

WICHITA FALLS, Texas - A wave of sexual assaults has gone largely unnoticed here, sweeping through the ranks of Sheppard Air Force Base women who are too scared to go public, victim advocates say.

The scope of the problem is hinted at in the growing stacks of reports taken at a nearby civilian rapecrisis center. In a year's span, more than two dozen women stationed at the north Texas air base have sought help for sexual assaults allegedly committed by 40 fellow soldiers, according to First Step Inc. Five cases involved gang rapes.

Sheppard's problems come to light at a time when Congress and the Pentagon are investigating how the armed forces address complaints of sexual assault, particularly combat cases in Iraq, Kuwait and Afghanistan. Dozens of lawmakers are calling for congressional hearings, and Secretary of Defense Donald Rumsfeld has ordered an investigation into the military's handling of sexual-assault cases, particularly in cases of combat troops.

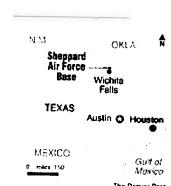
The Sheppard cases steer the focus back to problems closer to home and to another single installation. The situation at Sheppard could rival or be even worse than that of the Air Force Academy - where problems with the military's handling of sexual-assault complaints were exposed last year - based on reports from case files at First Step.

"I am startled by the figures," said Rep. Shelley Moore Capito, R-W.Va. "I think it's shameful."

"It looks like we've got more work to do," said Rep. Louise Slaughter, D-N.Y., who has led a recent effort with Capito to push for congressional hearings. "This is a serious, serious issue."

Laura Grimsinger, a former director of First Step, said Sheppard has a culture that "wants to minimize sexual assault and not address it. They turn their backs on them (victims), and it's devastating. The training schools are the big problem. These women are way outside their home element and have little support."

Air Force officials declined to comment about First Step's reports. Sheppard released a statement saying that it cracks down on sexual assault, having punished 42 Sheppard personnel since 1993 for such crimes. But base officials did not provide a breakdown of punishments, such as whether the accused were prosecuted or given administrative discipline, a common military practice The Denver Post found in a series of investigative reports. The Denver Post



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"Aggressive programs we use to educate our personnel on how to avoid, prevent and report sexual assault have been very effective," the Sheppard statement said. The statement acknowledged that some women have faced discipline for breaking rules after reporting crimes. But it stressed that victims are "never punished for making a truthful report about criminal acts of others."

The Post reported in November that problems surfacing at the Air Force Academy in Colorado are prevalent throughout the armed services, with commanders granting leniency to thousands of sex offenders, punishing victims and not providing protective services.

Sheppard-related cases were disclosed in a national survey conducted by The Post last summer. That survey looked at military sexual assault and domestic-violence cases handled by shelters near installations.

First Step's cases exceeded all other civilian crisis centers that responded. That includes TESSA near the Air Force Academy, which reported 24 for the same year-long period. But TESSA's caseload included reports from other bases, as well as the academy.

The majority of victims, First Step counselors say, serve only weeks at the Air Force's largest technical training center before moving on to other duty stations. But they have been too fearful of retaliation to pursue criminal reports, the counselors say, keeping problems beneath the public radar.

"These are situations where the women are trusting their fellow soldiers, going out and unfortunately being taken advantage of by men or groups of men," said Xochitl Pruitt, program manager for First Step.

The assaults linked to Sheppard made up 30 percent of all sex-assault reports handled by the center from June 2002 to June 2003. Pruitt declined to reveal specific details of assaults to protect victims' privacy, but she discussed general trends.

"Most victims are in training units and are being threatened by their attackers that they will lose their careers if they report," said Pruitt, who has worked at the shelter for two years.

Over the years, female victims have reported being discouraged from reporting crimes in a variety of ways, including being punished for breaking other rules involving curfews or alcohol, for instance.

During the last year, at least two victims based at Sheppard have sought inspector-general investigations into how commanders handled their cases, according to advocates who have assisted the victims. One of the inspector-general inquiries reportedly focuses on a gang rape.

Despite these cases, sexual assaults involving base service members have rarely grabbed headlines in north Texas, although some have come to the attention of local police.

In the late 1990s, there was a spate of raucous parties involving Sheppard personnel in motel rooms on the base's outskirts, police say. During one span of several months, police learned of numerous sexual-assault reports from trainees and other women as officers responded to disturbance calls at the motels, said Sgt. Cindy Walker of the Wichita Falls Police Department. The cases were turned over to Sheppard authorities to investigate, according to Wichita Falls police, who could not provide an actual number of assault reports linked to Sheppard soldiers.

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"The parties were in these fleabag motels right outside the main gate, and they were doing damage to a lot of rooms," Walker said. "About once a month, a female would say she was sexually assaulted."

Walker and other detectives said they would later learn from Sheppard investigators that many of the women changed their stories to avoid being punished for drinking and other rule violations.

"They (victims) are scared of reporting because they face a lot of pressures," said one detective who has helped Air Force investigators work cases involving Sheppard trainees.

Sheppard is a north Texas hub for tens of thousands of military service members, most of whom receive technical instruction in aeronautics, medical studies and other fields. The base is known for grooming NATO "top gun" pilots from countries around the world. Almost every afternoon, the north Texas skies above Sheppard are carved up by squadrons of fighter jets, some with women in the cockpits. Roughly 1,800 women are stationed at the base.

But news that large numbers of Sheppard women are being assaulted bewilders longtime Wichita Falls residents, including experts on military affairs, who say Sheppard commands widespread respect and good press as a base that helps energize the local economy.

"I'm surprised this hasn't come out earlier," said Harry Hewitt a professor of military history at Wichita Falls' Midwestern State University. "Sheppard has been a training base here for a long time. They (commanders) need to show to the public how they are dealing with these problems."

Brig. Gen. Arthur J. Rooney Jr. who manages the bulk of Sheppard's training operations. did not respond to a Post request for an interview.

As with many military installations, Sheppard typically takes legal jurisdiction over its soldiers, and many punishments allowed under military law are protected by privacy rules. "We usually defer to Sheppard," said Maureen O'Brien, an assistant criminal district attorney who said the First Step numbers surprised her. "We're told by the armed forces they can do more with them under the law. Now, I'm curious to know of outcomes in some of these cases."

Another reason Sheppard assaults may have steered free of public scrutiny: Women there often feel isolated, serving only short tours at the remote base. As a result, they have little emotional support for their trauma and do not know whom to trust among their temporary commanders, say local counselors. So, many suffer in silence.

But during the last two years, like never before, the women in blue have been buzzing the center's hotline or trying to arrange meetings at secret locations to talk about their assaults.

"The women have begun stepping forward to get counseling because we've increased awareness about who we are," First Step's Pruitt said. A statewide awareness campaign about sexual assault has helped, but First Step also advertises its hotline around the base.

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The women often turn to the center because they know they will receive confidential counseling, protections not extended by the military, Pruitt said. On four occasions, Sheppard commanders have called First Step, requesting files of victims who have sought help there, Pruitt said. Sheppard officials declined to comment on those requests. Ten other rape-crisis centers responding to The Post survey reported that military officials had sought files of female soldiers. Generally, the centers do not respond to such requests unless they have the victim's permission or a court order.

Former First Step director Grimsinger said that when the Air Force Academy scandal broke last year, she immediately thought of similarities with Sheppard. "It's been a very closed society out here, too."

Sheppard officials refused to release internal surveys on sexual harassment and assault that they say are performed twice a year. "It's a commander's tool and not releasable to the public," according to their statement.

Amber DiGiovanni, an Air Force veteran who said she was raped in 1975 by a pilot in training at the base, said a culture of harassment toward women thrived at Sheppard during her training stint. She decided not to report the rape, she said, because she had seen other sexual-assault reports ignored by commanders while serving in the Air Force and experienced sexual harassment by other soldiers and her instructor within days of arriving at the base.

She said she had no faith in the system.

"It's the quintessential good ol' boy club: It's a whole lot easier to overlook it. I'm sure the culture continued long after I was there."

Pruitt and others say they are happy that they have finally reached an agreement to help Sheppard with victim services, such as advocacy and counseling.

"The basic thing is we want these women to heal," Pruitt said. "I don't know if this is a question of whether the situation has gotten better or worse. I just know that women are now finally saying, 'I'm going to speak up to someone."

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11-Feb-04

Mother testifies in murder case of SAFB airman

Jessica Langdon Times Record News

The mother of a murdered Sheppard Air Force Base airman fought tears, testifying in the hearing that will determine whether her daughter's accused killer faces a military

court-martial.

The Article 32 hearing for Jason Arindain started in Sheppard's courthouse Monday afternoon. Arindain stands accused of the murder, rape and forcible sodomy of 22-year-old Shelby Orelup.

Orelup's body was found in a ditch along Sheppard Access Road Feb. 28, 2003. She was beaten and strangled, au-

thorities said.

Arindair, appeared at Monday's hearing dressed in full Air Force uniform, surrounded by his three military defense counselors. He followed the proceedings, showing confidence, and no emotion

Orelup was an instructor !! at Sheppard Air Force Base.

A classmate in a Basic Instructors Course testified first in Monday's hearing. Staff Sgt. Ben Aiken said he kept in touch with Orelup after the class ended, and she organized social activities for the 12 members. Aiken said he spent several hours with Orelup the night before she was found clead. He said she showed him a house she hoped to buy

Aiken said she was excited to see her 2-year-old daughter Arindain — who claims to be the child's father - was bringing her back that evening, after keeping her for a few weeks at Cannon Air Force Base in New Mexico, he said.

Aiken left a few minutes after Arindain arrived, he said, then he got a message from him the next morning -saying Orelup hadn't shown up for work and asking if Aiken knew where she was.

Aiken said he went to Orelup's house later that day, and Special Forces officers were posted outside. That's when he learned of her death.

Orelup's supervisor, Technical Sgt. Thomas Kydd, also

testified Monday

He said he heard one side of a phone conversation between Orelup and Arindain several months before Orelup's death. He said she sounded agitated and upset. before she slammed down the phone. Kydd said Orelup told him Arindain was upset because she had gone out to eat with a friend from her instructors class. She told Kydd the relationship Arindain was over.

He said he first knew something was wrong Feb. 28 when Orelup didn't show up for work at 7 a.m.

"She was diligent," he testified. He notified his supervisor, then called Orelup's house. Arindain answered and told him Orelup was at work, Kydd said.

Kydd testified Arindain told him Orelup got a phone call the night before and left the house and he hadn't seen her since.

Kydd also worked on a missing person list — calling hospitals and other places.

He said he was the one who identified Orelup's body late that afternoon. Kydd said Arindain called him, wanting to know the condition of Orelup's body - whether it appeared she tried to defend herself and if she looked as if she'd been beaten.

Orelup's mother testified she arrived in Wichita Falls from Billings, Mont., the day after the airman's death. Shirley Orelup said her daughter and Arindain fell in love while both were stationed in England. She said she found him to be controlling, but also said the family liked him, overall, before last February

She said Arindain called her the morning Orelup didn't show up for work, and told her "Shelby didn't come home all night."

Orelup's mother was the final person to testify Monday. The government had a list of close to 20 witnesses for the

hearing.

An Article 32 investigation is similar to both a civilian grand jury investigation and preliminary hearing. It looks into the truth of the charges and whether there is enough evidence to recommend a court-martial.

An Article 32 hearing is necessary before the case goes to a general court-mar-

Times Record News

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11-Feb-04

General up for second star

Angel Riggs
Times Record News

Another star is in reach at Sheppard Air Force Base.

Brig. Gen. Arthur Rooney, 82nd Training Wing commander, recently received a presidential nomination for a second star, promoting him to major general.

"I'm excited with the promotion, and it doesn't mean that I'll be leaving here soon," Rooney said, adding that he currently expects to stay in Wichita Falls throughout 2004, and at least a portion of 2005.

"My expectation is that I'll remain at Sheppard for some time to come," he said. "There is much work that yet needs to be accomplished."

"The continuity of having a wing commander here for more than a year is great, and, in fact, within the Department of Defense, senior leaders are being kept in place for longer periods of time."

Rooney's nomination comes two years after he received his first star, naming him a brigadier general.

Rooney is one of 28 Air Force brigadier generals the president submitted to the U.S. Senate as candidates to become major generals.

In all, there are roughly 220 general officers in the Air Force, said Capt. Hall Sebren. There are about 80 major generals in the Air Force.

"It's a huge accomplishment to make one star, and it's even bigger to make two," Sebren said. "I'm excited with the promotion, and it doesn't

mean that I'll be leaving here soon. My expecta-

tion is



that I'll remain at Sheppard for some time to come."

Brig. Gen. Arthur Rooney

He said that military promotions are often not a reward for work done, but recognition of a person's potential to serve in the next higher grade.

Sebren said Rooney emphasizes that "it's his job to make sure that everyone is successful," and that "he works for everybody on base, everybody doesn't work for him."

Please see ROONEY on Page 7A

ROONEY

continued from Page 1A

Last year Rooney was recognized by the Air Education and Training Command — under which the 82nd training command operates — for his management and public affairs skills, said Major Manning Brown, Sheppard's director for public communication. Rooney and his wife also received an award designating them the best wing commander and spouse, Manning said.

Rooney credits his accomplishments to his family and staff support.

"While a lot has been accomplished over the last few years with this great team, there is much more that remains to be done," he said.

"I've been blessed in my career," Rooney said. "This team has really made me look good."

Business reporter Angel Riggs can be reached at (940) 763-7536, or with e-mail at riggsa(at)timesrecordnews.com.

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Memorial to Goldwater takes flight on Saturday

By Diana Balazs The Arizona Republic

PARADISE VALLEY

Barry Goldwater would have loved the ride

A 10-foot tall bronze statue of the late U.S. senator and Arizona statesman arrived in Paradise Valley on Monday morning from the Bronzesmith Fine Art Gallery and Foundry in Prescott Valley.

Shrouded mummylike in plastic wrap, at least half a dozen blankets, a blue tarp and secured with rope and duct tape, the statue arrived in the bed of a U-Haul trailer behind a Chevrolet Silverado.

"It took about three or four hours to get it all ready to go, to expedite it. It takes time to do it," said Ed Reilly, the foundry's co-owner.

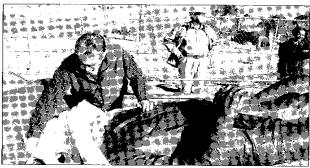
The imposing statue of Goldwater holding a camera in his right hand and a cowboy hat in his left is the focal point of a 1.5-acre memorial to the longtime town resident who died in May 1998.

The memorial on townowned land at the northeastern corner of Lincoln Drive and Tatum Boulevard will be dedicated at 10 a.m. Saturday.

The ceremony will include the reading of a letter from President Bush, a speech by U.S. Supreme Court Justice Sandra Day O'Connor, a per-formance by an Arizona State University band, and a flyby of four F-16 fighter jets from Luke Air Force Base. Town officials spent more than three years on the project.

"It's turned out so well and it just has this great feel. I don't know that I've seen anything here in Arizona that's quite like it," Mayor Ed Lowry said as he wandered the site Monday, snapping photos.

The \$150,000 statue, crafted by Western artist Joe Beeler, a Sedona resident and friend of Goldwater, will be draped with a parachute until



Ed Reilly, co-owner of Bronzesmith Fine Art Gallery and Foundry, on Monday delivers the statue of Barry Goldwater.

Goldwater Memorial dedication schedule

WHAT: Dedication of the only memorial in the United States commemorating the life and work of late U.S. Sen, and Paradise Valley resident Barry M. Goldwater. The memorial features a 10-foot tall bronze sculpture of Goldwater created by Joe Beeler. A flyover by four F-16s from Luke Air Force Base will open the ceremony.

WHEN: Saturday. Guests are encouraged to arrive early, as seating is limited. The schedule:

- Arizona State University Wind Symphony Band to play.

9:30 a.m. - Dignitaries seated.

10 a.m. — Dedication ceremony begins. 11 a.m. — Goldwater Memorial opens.

WHERE: Northeastern corner of Tatum Boulevard and Lincoln Drive:

SPEAKERS: U.S. Supreme Court Justice Sandra Day O'Connor will dedicate the Goldwater Memorial. Also speaking are U.S. Sen. John Kyl, Gov. Janet Napolitano and

Paradise Valley Mayor Ed Lowry.

TRAFFIC/PARKING: Beginning at 3 a.m., Saturday, Tatum Boulevard from Indian Bend Road to McDonald Drive and Lincoln Drive from 46th to 56th streets will be closed. Public parking is available at the Unitarian Church, Christ Church of the Ascension, Paradise Valley United Methodist Church and the Franciscan Renewal Center, all on Lincoln Drive. Free shuttles will run from 8 and 9:45 a.m. and from 11 a.m. to 2 p.m. Public parking will also be available along .56th Street. Shuttles will serve that area as well:

Source: Town of Paradise Valley

just before the dedication.

"We thought symbolic of flight," Councilwoman Virginia "Jini" Simpson said.

Reach the reporter at diana.balazs@arizonarepublic.com or (602) 444-6877.

The Arizona Republic

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11-Feb-04

Airman likely strangled

Jessica Langdon Times Record News

A friend, a DNA expert, a medical examiner, an FBI spe-

cial agent and an Air Force staff sergeant all raised their right hands and took their turns on the witness stand at Sheppard Force Arindain Air Base Tuesday.



They're at Sheppard this week because of Feb. 28, 2003 — the day 22-yearold Senior Airman Shelby Orelup's body was found in a ditch on Sheppard Access Road.

Orelup's former boyfriend, Staff Sgt. Jason Arindain — who claims to be the father of her 2-year-old daughter accused in her death. Authorities believe Orelup was also raped and sodomized.

Arindain's Article 32 military investigation started Monday and will help determine whether he faces a courtmartial. An investigating officer looks into the truth of the charges and prepares a report, which goes to the Second Air Force Commander in this case.

Arindain sat silently and didn't change his expression as Tarrant County's deputy chief medical examiner described over the phone how Orelup died. Dr. Mark Krouse performed the autopsy, and said he saw several signs she'd been strangled.

Krouse reviewed pictures, drawing attention to blush-like appearances on Orelup's face, especially on her eyelids. He said the pressure put on her neck built up pressure in her head, rupturing blood vessels.

He said there was also bleeding in tissue in Orelup's neck, a mark on her back an other signs. He said cutting off oxygen to the brain is what would have caused death. He said he believed someone used a soft cloth to kill Orelup.

She also had other wounds, including a cut and swollen lip, scrapes on her face and a bruise on her scalp, Krouse said. He said some injuries may have happened earlier, but most appeared to occur around the time of death.

Amber Moss of Orchid Cellmark Laboratory in Dallas analyzed DNA - and collected 754 pages of material.

She said the lab compared samples to DNA known to belong to Arindain and Orelup. She testified the lab identified the presence of DNA from both in several samples taken from Orelup's body, underwear and other items. Arindain's defense counsel asked how easily DNA transfers from one item to another, and Moss said very

Staff Sgt. Michael Wilson also testified by phone. He's stationed at Lakenheath Air Force Base in England, where he met both Arindain and Orelup,

Wilson testified he came to Sheppard for a two-week course in early February 2003, and Orelup was also in the class. He said they saw each other as friends the first week. then their relationship intensified. He said they kept in touch when he returned to England.

The last time he talked to her was less than a day before her body was found, he said. He said he called her the night of the 27th, and heard an angry man's voice in the background, wanting to know who was on the phone. Wilson said he called her back later, making sure she was all right and didn't notice anything wrong.

The next day, he said Arindain called and asked if he knew where Orelup was. He said Arindain told him he

knew about their relationship. Arindain kept Orelup's daughter at Cannon Air Force Base in New Mexico — where he was stationed - for a couple of weeks last February, FBI Special Agent Andrew D. Farrell testified. He said Arindain described those weeks as "hell," because Orelup's contact with them dropped off.

Arindain went to Sheppard Feb. 27 to return the little girl to Orelup, her family said.

Five witnesses testified Tuesday, bringing the total so far to eight. Testimony is set to pick up again this morning.

The investigating officer, Maj. Barbara E. Shestko, asked witnesses whether they'll live or be stationed somewhere else in the next several months in case the investigation leads to a court-martial.

There are three types of courts-martial summary special and general. General is the most serious, and requires an Article 32 investigation first.

Sheppard AFB, Wichita Falls, Texas Times Record News, 11 Feb 04, Page 2B Email: www.timesrecordnews.com

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Preserving military bases vital to state's economic health

early 2½ years since terrorist attacks sent the nation's economy into decline, it appears Arizona is beginning to emerge from the two-year recession that has stunted economic growth and crippled state and local budgets. Consumer spending is up, companies are hiring and tax revenue is in-

In spite of these positive signs, Arizona's economic future is anything but secure. One unknown lies ahead which, if ignored, could potentially halt our state's economic recovery in

its tracks.

John : Nelson



Protecting these sites will take cooperation and good planning, but it will pay off.

That unknown is the fate of Arizona's military bases, and the very real possibility that some of them could be closed in the Defense Department's next base realignment and closure review.

If these facilities are closed, Arizona's economy will be damaged by the potential loss of 88,000 jobs and \$5.8 billion in revenue generated by the bases.

It's for this reason that I, with the support and cooperation of state Reps. Jennifer Burns, R-Oro Valley, Bill Arnold, R-Goodyear, and Phil Hanson, R-Peoria, have been meeting with representatives of Arizona's military bases, local elected officials,

property owners and developers in a concentrated, cooperative effort to determine what actions the state must take to ensure our military bases' survival. This effort has been guided by the following princi-

1. Involving all stakeholders in the process by bringing property owners, developers, base officials, city and county leaders together on a consensus package of proposals.

2. Removing potential obstacles to the military facilities' ability to accomplish their mis-

3. Protecting private property rights by ensuring that landowners are fairly compensated for any new restrictions placed on their prop-

These meetings have culminated in a series of proposals which, if adopted, will diminish the possibility of base closures in Arizona and help secure a bright economic future for our

They include measures affecting land use and development around military facilities and under the flight routes used to traverse them. The goal of these proposals will be to ensure that the bases are capable of fulfilling their military missions.

For example, Burns and I will be offering a measure on military training route notification and range preservation, ensuring routes for our pilots to and from the Barry Goldwater Range and other bases.

By involving representatives of all parties affected by this measure, our proposal already enjoys widespread support. It's our hope that this consensus will lead to the legislation's speedy passage.

Additionally, Arnold, Hanson, Sen. Robert Blendu, R-Litchfield Park, and I will be presenting legislation dealing with lot-split au-thority for counties and the location of underground gasoline storage facilities.

Central to this package of proposals is the need for a funding mechanism that allows property owners to be adequately and fairly compensated for the inevitable new restrictions on their land. We hope to complete work on such funding in the near future. We feel strongly that, after years of promises, it's time for the landowners to receive the compensa-

Throughout this process, we have been supported by House leadership. House Speaker Jake Flake, R-Snowflake, has made military base preservation one of his top priorities and has provided us with the staff and resources necessary to produce a workable package of legislative proposals.

Additionally, the State Land Department and Lisa Atkins of the County Supervisors Association have provided invaluable assistance

The economic benefits of Arizona's military facilities are undisputed. By some accounts, they are equivalent to the jobs and revenue generated by Arizona's seven largest employers. It's for this reason the state must act

Our efforts to preserve Arizona's bases will likely be labeled by some as expensive.

But doing nothing will cost the state far more today and in the future.

The writer is a state representative from District 12, which includes Glendale, Litchfield Park and Surprise,

The Arizona Republic

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MONDAY, FEBRUARY 9, 2004 B7

West Valley

Venita James, city editor (602) 444-NEWS (6397) venita.james@arizonarepublic.com

Glendale | Peoria | Sun Cities | Surprise | Avondale | Goodyear | Buckeye | Litchfield Park | Tolleson | El Mirage

Luke flights going north during repair of runway

By David Madrid The Arizona Republic

Luke Air Force Base has closed a runway, causing significantly more flights to take off toward the more populated north.

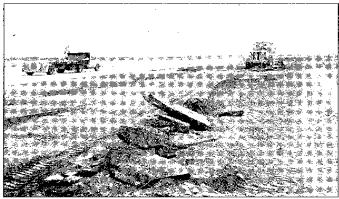
It shouldn't last more than five more months, but base officials are asking people who live north of the base to be patient until itcan divert the bulk of its flights to the south again.

The base is hoping that noise complaints from Sun City, Surprise and Peoria don't increase.

"We are doing everything we can to make sure we operate safely on the field and that we operate safely for the public," said Luke Vice Commander Col. Pete Costello.

Luke's east runway was shut down Jan. 7 so that rubber that has built up on the runway could be scraped off, and so the 75-foot-wide asphalt shoulders on both sides of the 150-foot-wide runway could be torn up and repayed. While the shoulders are being rebuilt, any repairs needed on the runway itself will be completed.

Costello said it is important that the runway shoulders are in good shape to



Mike Rynearson/The Arizona Republic

A grader levels soil along a Luke Air Force Base runway that is shut down for repairs that may last five more months. Flights now take off over populated areas north of the base.

lessen the odds of rocks or debris ending up on the runway where the F-16 jet fighters could suck them up and damage their engines.

The base began sending significantly more flights to the north on Jan. 21. Since then, 1,273 sorties have taken off to the north, 122 to the south. Luke says it will not fly any F-16s carrying live arms to the north. Those flights, which are about 4 percent of the total sorties flown, will take off to the

Luke, which trains F-16 pilots and crew chiefs, has two runways about 10,000 feet long.

Usually one runway is used for takeoffs and the other for landings depending on the direction and strength of the wind. The F-16s are now taking off and landing on its western runway.

Reach the reporter at david, madrid@arizonarepublic.com or (602) 444-6926.

The Arizona Republic

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Peoria council opposes a gas facility near Luke

PEORIA - The Peoria City Council has adopted a resolution opposing the placement of an El Paso Natural Gas Co. facility and pipeline in salt caverns near El Mirage Road between Northern and Glendale avenues.

Council members, who approved the resolution Feb. 3, say the proposed facility would be a threat to the safety of nearby homes and businesses and could negatively affect Luke Air Force Base.

Similar pipelines have leaked and exploded, the council noted.

The Arizona Republic

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Posted on Fri, Feb. 06, 2004 **CASINOS**

D'Iberville casino plan OK'd at last

By GEOFF PENDER

JACKSON - Plans for a casino in D'Iberville, after nearly a decade of wrangling with environmental and other issues, cleared a final governmental hurdle on Thursday, with Secretary of State Eric Clark announcing he and developers had reached a lease agreement on public tidelands the project will occupy.

"I'm pleased to report that we have reached an agreement in principle on a tidelands lease for the D'Iberville casino project," Clark said. "I believe our agreement will benefit the city of D'Iberville. All parties also recognize that the height of any development on the Back Bay must not threaten the mission of Keesler Air Force Base. Attorneys for both sides are writing up the details now, and we look forward to making an announcement soon."

Negotiations with Clark apparently had stalled recently, prompting some legislators to talk of a legislative challenge to Clark's authority over public waterbottoms.

Sen. Tommy Gollott, D-Biloxi, and others over the past few days helped work out a deal between Clark and the development. Gollott said he, D'Iberville Mayor Rusty Quave, Mark Seymour Sr., who owns some of the property where the casino will be located, and secretary of state's staff have met for the past few days and an agreement was struck either late Wednesday or early Thursday.

"Both sides budged a little," Gollott said. "There's always room for compromise."

Mike Cavanaugh, an attorney who has represented D'Iberville's efforts to get a casino, said he expected a compromise would be reached.

"The secretary of state always said he would find a way for D'Iberville to have a casino, if it met the conditions of the law," Cavanaugh said.

Developers wanted to lease about 25,000 square feet of tidelands for non-gambling portions of the development. Clark had pushed them to redesign the project so the hotel and parking garage would take only about 15,000 square feet. Previously, the U.S. Army Corps of Engineers had approved taking more than 40,000 square feet, and the Department of Marine Resources had approved 25,000 square feet.

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Gollott said the agreement was for about 24,000 square feet of tidelands. Clark said payments and other details of the lease will not be released until lawyers can draft official documents.

Debate over tidelands and Clark's control is not new. Casinos have grappled in court for years with Clark over what he charges them for tidelands leases and even whether he has domain over the waterbottoms. Casinos have argued that as upland landowners, they have the same inherent rights to the shoreline that private Coast landowners have enjoyed.

Rep. Leonard Bentz, R-Biloxi, said the agreement is "a great day for the city of D'Iberville."

"I'm glad it has worked out," Bentz said. "It's music to my ears."

And while the agreement may have ended talk of legislation to strip or limit Clark's control over tidelands, some believe there is still room for improvement.

"There should be some standard developed, not just to arbitrarily say, 'I only want you to have this much space,'" said Rep. Jim Simpson, R-Pass Christian.

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